

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

BYRON JEROME SCOTT,

Petitioner,

VS.

DOUGLAS DRETKE, DIRECTOR, TEXAS
DEPARTMENT OF CRIMINAL JUSTICE,
CORRECTIONAL INSTITUTIONS
DIVISION,

Respondent.

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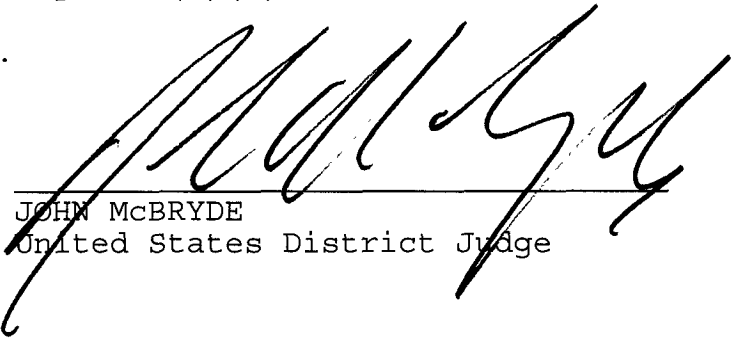
NO. 4:05-CV-774-A

O R D E R

Came on for consideration the above-captioned action wherein Byron Jerome Scott is petitioner and Douglas Dretke, Director, Texas Department of Criminal Justice, Correctional Institutions Division, is respondent. This is a petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2254. On December 6, 2005, the United States Magistrate Judge issued his proposed findings, conclusions, and recommendation, and ordered that the parties file objections, if any, thereto by December 27, 2005. Copies of the proposed findings, conclusions, and recommendation were sent to petitioner and respondent. Because timely objections have not been filed, the court accepts the proposed findings, conclusions, and recommendation of the United States Magistrate Judge.

The court ORDERS that the petition be, and is hereby, dismissed pursuant to 28 U.S.C. § 2244(b)(1).

SIGNED December 28, 2005.


JOHN MCBRYDE
United States District Judge